

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

TRANSMETA CORPORATION,
Plaintiff and Counterclaim Defendant,
v.
INTEL CORPORATION,
Defendant and Counterclaim Plaintiff.

Civil Action No. 06-633-GMS

**INTEL CORPORATION'S MOTION TO STAY THIS ACTION PENDING
REEXAMINATION OF TRANSMETA'S PATENTS-IN-SUIT**

Intel hereby moves to stay this action pending final resolution of the reexaminations of all eleven of Transmeta's patents-in-suit. As set forth in detail in the accompanying brief, a stay is appropriate here because it will simplify and conserve the Court's and the parties' resources, this litigation is in its early stages (with written discovery just commencing and trial not set to begin until December 2008), and Transmeta will not be unduly prejudiced by a stay because, *inter alia*, it claims that it no longer makes any products but rather bases its business model entirely on collecting royalties.

Undersigned counsel hereby certifies pursuant to Local Rule 7.1.1 that the relief sought in this motion was discussed between the parties during the Rule 16 scheduling process and at the Rule 16 scheduling conference, and that the parties are unable to agree to the appropriate relief.

Intel therefore respectfully requests that the Court grant its motion to stay this action pending final resolution of all of the reexaminations of the Transmeta patents-in-suit. Intel would consent to stay its counterclaims (including its claims that Transmeta infringes seven

Intel patents) during the pendency of the reexaminations of Transmeta's patents-in-suit even though Transmeta has not filed any requests to reexamine Intel's patents-in-suit.

Respectfully submitted,

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Dated: June 19, 2007

CERTIFICATE OF SERVICE

I, Karen E. Keller, Esquire, hereby certify that on June 19, 2007, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

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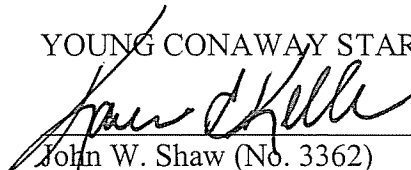
I further certify that on June 19, 2007, I caused a copy of the foregoing document to be served by hand delivery on the above-listed counsel of record and on the following in the manner indicated:

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**[PROPOSED] ORDER GRANTING INTEL CORPORATION'S MOTION TO STAY
THIS ACTION PENDING REEXAMINATION OF TRANSMETA'S PATENTS-IN-SUIT**

The Court, having considered the papers submitted in connection with Intel's motion to stay this action pending reexamination of Transmeta's patents-in-suit, arguments of counsel, and the law, and good cause appearing therefore,

IT IS HEREBY ORDERED that Intel's motion to stay this action pending reexamination of Transmeta's patents-in-suit is GRANTED. The stay is hereby in effect until the final resolution of the reexaminations of all eleven of Transmeta's patents-in-suit.

SO ORDERED this ____ day of _____ 2007.

U.S. District Judge